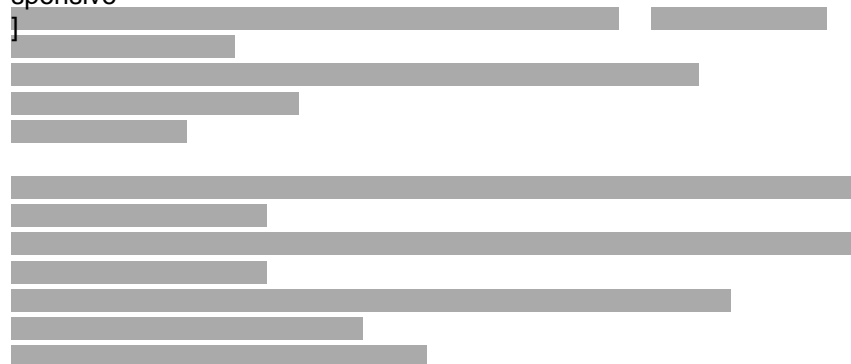


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Government	Percentage
Current government	85%
Previous government	15%

Tom ~ I have received some policy feedback I get (see below) and have thought a bit about the Whatcom grant and am very concerned.

I want to be exceedingly clear that the recent dynamics between the CDs and Ecology is a wholly separate issue. Adding that

political
perspective raises other questions and concerns, but
it's inappropriate
and irrelevant to the main points regarding the
Whatcom grant EPA has
approved, which I see as:

§ The project proposes a risky approach to
farm planning, yet
serious questions have been raised about the
ability of this
system to protect water quality.

§ EPA made the decision despite the fact that
a policy forum
about the farm planning process and standards
had been initiated
in Washington (i.e., decision made at the
January Conservation
Commission meeting).

§ The project has significant implications for
clean water but
the agency with clean water expertise and the
responsibility for
administering clean water laws has not been
involved.

This leads to several questions:

1) Was the Office of Water and Watersheds
consulted in this
decision? If "yes", how does EPA see the
project advancing clean
water and Puget Sound recovery consistent with
Ecology's efforts?

2) More specifically, how does this
project reinforce TMDL
development, implementation and accountability?
Is EPA thinking
the proposed practices will pass 303(d) muster?

3) Finally, while the proposal aspires to
affect all of
Western Washington at this time, it will
clearly implicate the
eastside as well. How does EPA see this project
as helping address
water quality problem in areas like lower
Yakima?

Taking a step back, EPA's decision here raises concerns about the current decision making process. Consequently, I would like to request formal consultation with Ecology on all future EPA grants that affect Ecology authorities and responsibilities. For those grants that affect delegated programs in Washington state, I suggest a formal role for Ecology in the project itself. Having formal consultation in advance of a public decision by EPA will maximize the effectiveness of considerable federal investment. Such a consultation process is consistent with our partnership agreement.

Finally, I think a meeting with Bussell's shop would be helpful to better understand EPA's thinking here. If this deserves conversations with Ted, Dennis, or others, please let me know ~ jb

More specific comments regarding Whatcom grant:

1) Project proposes to develop study into BMP guidance (manual?) for manure application for all of Western Washington.

. "Based on this information we will develop manure application best management practice (BMP) guidelines for joint water and air pollution reduction with our partners at NRCS. These BMPs will be approved and installed over all of Western Washington." (Emphasis added)

2) Project plans to revise several NRCS standards (although NRCS' agreement to or support of this proposal is unclear).

. "Seasonal manure application setback distances and vegetative filter strip widths and practices would be revised

to maximize their effectiveness, while also allowing appropriate maximum use of field area."

. "Adapt current NRCS vegetative practices and manure setback distance guidelines to be more seasonally appropriate and effective for managing potential runoff from fields."

3) One objective of project is to compare buffers vs. precision manure application instead of encouraging both elements as part of comprehensive plan, including needed waterway restoration to address all WQ parameters including temperature.

§ "The effectiveness of these types of "insurance" practices [buffers] would be compared against precision application practices with controlled field trials set up in a block design". (Emphasis added)

4) No mention of intersection of proposed program with CAFO regulatory requirements - despite proposing to change NMP standards which in effect can be effluent conditions of Ecology permits.

5) Ecology's roles in the project are characterized as purely as assessment of watershed through mapping and regulatory enforcement of local program. Ecology has no role in BMP or technical development.

6) Project purports to collaborate
with project partners
in addressing "needs and concerns of all
state, local, and
producer participants." Presumably this would
include Ecology but
we have yet to be contacted.